THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.11827 of 2006

20.07.2006

Between

Smt.Kolli Uma, W/o.K.Bhanu Prashanth Reddy

… Petitioner

AND

The Principal Secretary, Government of Andhra Pradesh,
Revenue Department, Secretariat, Hyderabad
And others

… Respondents

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ORDER:

The petitioner is aggrieved by the alleged high handed action of the respondents in demolishing partly raised constructions on plot No.622, admeasuring 389 Sq.yards in survey No.44/1 situated at Miyapur Village of Serilingampally Mandal in Ranga Reddy District. It is the case of the petitioner that she purchased the property from Smt.Kamal Rupela under registered sale deed dated 10.2.2000, that her vendor purchased from one Smt.K.Sunalini, who had purchased the property from Mathrusri Cooperative House Building Society Limited, Miyapur Village of Serilingampally Mandal in Ranga Reddy District. After obtaining the sale deed, the petitioner approached Serilingampally Municipality and obtained building permission and commenced construction. She alleges that the respondents 3 and 4 came to her plot on 30.5.2006 and demolished the partly raised structures and also damaged the bore-well. Therefore, she filed the present writ petition seeking a direction to the respondents not to interfere with the construction activity and pay compensation for the structures demolished.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (General) obtained instructions from the fourth respondent. He submits that when the State represented by its Special Grade Deputy Collector & Revenue Divisional Officer, Chevella (RDO), filed the case being LGC No.29 of 2006 on the file of the Special Court under A.P. Land Grabbing (Prohibition) Act, 1982 (hereafter called, the Special Court) and that the Special Court passed the order of *ad interim* injunction in I.A.No.446 of 2006 dated 02.5.2006 restraining the respondents therein from making any alterations or changing the nature of the land admeasuring Acs.168.38 guntas in survey No.44 of Miyapur Village. He points out that Mathrusri Cooperative House Building Society Limited from whom the petitioner's vendor's vendor purchased the property is respondent No.1 in the L.G.C. and, therefore, the officials from the Office of the respondents only stopped the construction activity. The allegation that

respondents 3 and 4 visited the site and demolished the structures is denied.

Learned Counsel for the petitioner has placed before this Court a set of photographs. These photographs would show that there is some construction activity in some area. The same cannot be correlated to plot No.622 of Mathrusri Cooperative Housing Building Society Limited. Be that as it is, admittedly, the petitioner is not a party to LGC No.29 of 2006. Therefore, unless and until, there is an order of injunction operating against the petitioner, her right to enjoy the property cannot be interfered with. It shall be open to the respondents 3 and 4 to approach the Special Court and file appropriate application to implead the petitioner and obtain appropriate orders.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

July 20, 2006.

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